

AMENDED IN SENATE APRIL 14, 2015

SENATE BILL

No. 633

Introduced by Senator Hill
(Coauthor: Senator De León)

February 27, 2015

~~An act relating to consumer protection.~~ *to amend Section 17533.7 of the Business and Professions Code, relating to false advertising.*

LEGISLATIVE COUNSEL'S DIGEST

SB 633, as amended, Hill. Consumer protection: "Made in U.S.A." label.

Existing law prohibits the sale or offering of sale in the state of any merchandise on which merchandise or on its container appears the words, "Made in U.S.A.," "Made in America," "U.S.A.," or similar words when the merchandise or any article, unit, or part thereof, has been entirely or substantially made, manufactured, or produced outside of the United States.

~~This bill would declare the intent of the Legislature to enact legislation that would update the "Made in U.S.A." labeling standard to allow California-based companies that manufacture their products within the state while employing state residents to utilize this label even if their products contain insignificant components not available in the United States.~~

This bill, instead, would make it unlawful for any person, firm, corporation, or association to sell, or offer for sale, merchandise that advertises itself as being made or manufactured in the United States unless the merchandise has been all or virtually all made in the United States, and provides that "all or virtually all" has the same meaning as in a specified policy statement of the Federal Trade Commission.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17533.7 of the Business and Professions
2 Code is amended to read:
3 17533.7. (a) It is unlawful for any person, firm, corporation
4 or association to sell or offer for sale in this ~~State~~ state any
5 merchandise on which merchandise or on its container there
6 appears the words “Made in ~~U.S.A.~~” U.S.A., ” “Made in America,”
7 “U. S.A.,” or similar words ~~when~~ unless the merchandise or any
8 article, unit, or part thereof, has been entirely or substantially made,
9 manufactured, or produced outside of all or virtually all made in
10 the United States.
11 (b) For purposes of subdivision (a), merchandise that is “all or
12 virtually all” made in the United States has the same meaning as
13 in the Enforcement Policy Statement on U.S. Origin Claims issued
14 by the Federal Trade Commission (62 Fed. Reg. 63756 (Dec. 2,
15 1997)).
16 ~~SECTION 1. It is the intent of the Legislature to enact~~
17 ~~legislation that would update California’s “Made in U.S.A.”~~
18 ~~labeling standard, which was enacted in 1961, to allow California~~
19 ~~based companies that manufacture their products within the state~~
20 ~~while employing state residents to utilize the “Made in the U.S.A.”~~
21 ~~label even if their products contain insignificant components that~~
22 ~~are not available in the United States.~~